

By: Guerra, Longoria, Zerwas, Lozano,
Sheffield, et al.

H.B. No. 3576

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the investigation of, and release of information
3 concerning, communicable disease, including the Zika virus and
4 other high consequence communicable diseases.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section [81.046\(c\)](#), Health and Safety Code, as
7 amended by Chapters 789 (H.B. 2646) and 1278 (S.B. 1574), Acts of
8 the 84th Legislature, Regular Session, 2015, is reenacted and
9 amended to read as follows:

10 (c) Medical or epidemiological information, including
11 information linking a person who is exposed to a person with a
12 communicable disease, may be released:

13 (1) for statistical purposes if released in a manner
14 that prevents the identification of any person;

15 (2) with the consent of each person identified in the
16 information;

17 (3) to medical personnel treating the individual,
18 appropriate state agencies in this state or another state, a health
19 authority or local health department in this state or another
20 state, or federal, county, or district courts to comply with this
21 chapter and related rules relating to the control and treatment of
22 communicable diseases and health conditions or under another state
23 or federal law that expressly authorizes the disclosure of this
24 information;

1 (4) to appropriate federal agencies, such as the
2 Centers for Disease Control and Prevention [~~of the United States~~
3 ~~Public Health Service~~], but, except as provided under Subsection
4 (c-3), the information must be limited to the name, address, sex,
5 race, and occupation of the patient, the date of disease onset, the
6 probable source of infection, and other requested information
7 relating to the case or suspected case of a communicable disease or
8 health condition;

9 (5) to medical personnel to the extent necessary in a
10 medical emergency to protect the health or life of the person
11 identified in the information; [~~or~~]

12 (6) to a designated infection control officer;

13 (7) [~~(6)~~] to governmental entities that provide first
14 responders who may respond to a situation involving a potential
15 communicable disease of concern and need the information to
16 properly respond to the situation; or

17 (8) [~~(7)~~] to a local health department or health
18 authority for a designated monitoring period based on the potential
19 risk for developing symptoms of a communicable disease of concern.

20 SECTION 2. Section 81.046, Health and Safety Code, is
21 amended by adding Subsection (c-3) to read as follows:

22 (c-3) The following medical or epidemiological information
23 relating to a person who has or is suspected of having a present or
24 potential health condition resulting from exposure to a high
25 consequence communicable disease, such as the Zika virus, may be
26 released to an appropriate federal agency:

27 (1) the name, address, sex, race, and occupation of

1 the person;

2 (2) the date of the onset of the health condition;

3 (3) the probable source of infection or exposure; and

4 (4) other requested information relating to the case
5 or suspected case of the infection.

6 SECTION 3. Sections 81.061(a) and (c), Health and Safety
7 Code, are amended to read as follows:

8 (a) The department shall investigate the causes and effects
9 of communicable disease and methods of prevention.

10 (c) The department may investigate the existence of
11 communicable disease in the state to determine the nature and
12 extent of the disease and potential effects on the health of
13 individuals and to formulate and evaluate the control measures used
14 to protect the public health. A person shall provide records and
15 other information to the department on request according to the
16 department's written instructions.

17 SECTION 4. To the extent of any conflict, this Act prevails
18 over another Act of the 85th Legislature, Regular Session, 2017,
19 relating to nonsubstantive additions to and corrections in enacted
20 codes.

21 SECTION 5. This Act takes effect September 1, 2017.